

# PETITION FOR ZONING VARIANCE 240

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3B(3) to provide for a setback of 60 feet from the centerline of the road in lieu of the required 75 feet and for setbacks of 16 feet and 19 feet from the easterly side of the special exception boundary in lieu of the required 35 feet.

The structures were built more than thirty years ago and would be impossible to move or relocate. A special exception is being sought to permit an accessory agricultural use which has been conducted in these same buildings without knowledge of further zoning requirements.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State

Legal Owner(s): (Type or Print Name) Signature Address City and State

Attorney for Petitioner: (Type or Print Name) Signature Address City and State

Attorney's Telephone No. 828-1050

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of June, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of August, 1981, at 1:30 o'clock P.M.

(over)

# PETITION FOR SPECIAL EXCEPTION 240

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for "the manufacture, processing or packing of fruit, vegetable, animal or meat products or by-products".

Property is to be posted and advertised as prescribed by Zoning Regulations.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State

Legal Owner(s): (Type or Print Name) Signature Address City and State

Attorney for Petitioner: (Type or Print Name) Signature Address City and State

Attorney's Telephone No. 828-1050

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of June, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of August, 1981, at 1:30 o'clock P.M.

(over)

RE: PETITION FOR SPECIAL EXCEPTION- BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCES  
NW/4 of Mt. Zion Rd., 1.530'  
NE of Dover Rd., 5th Dist.

G. H. CASSELS-SMITH, Petitioner : Case No. 82-49-XA

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 31st day of July, 1981, a copy of the foregoing Order was mailed to R. Bruce Alderman, Esquire, 305 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession, III

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 18, 1981

COUNTY OFFICE BLDG.  
131 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

R. Bruce Alderman, Esquire  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Item No. 240  
Petitioner - G. H. Cassels-Smith  
Special Exception and Variance Petitions

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In order to legalize your client's existing operation, this special exception is required, while the variances are included at the suggestion of the Zoning Supervisor, Mr. Dyer. Even though the adjacent property is also owned by your client, Mr. Dyer felt that since the two parcels are recorded under separate deeds, the variances should be requested.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,  
Nicholas B. Commodari, Esq.  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bac

Enclosures

cc: Century Engineering, Inc.  
32 West Road  
Towson, Maryland 21204



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

July 22, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #240 (1980-1981)  
Property Owner: G. H. Cassels-Smith  
N/W/4 Mt. Zion Rd. 1.530' N/E of Dover Rd.  
Acres: 0.40 District: 5th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### Highways:

Mt. Zion Road, an existing public road, is proposed to be improved in the future on a 60-foot right-of-way with vertical and horizontal realignment in this vicinity. Further information may be obtained from the Baltimore County Bureau of Engineering Highway Design and Approval Section.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

### Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

### Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Item #240 (1980-1981)  
Property Owner: G. H. Cassels-Smith  
Page 2  
July 22, 1981

### Water and Sanitary Sewer:

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite water supply and sewage disposal facilities.

This property is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-10A, as amended, indicate "No Planned Service" in the area.

Very truly yours,  
Robert A. Morton, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

CC-NW Key Sheet  
93 & 94 NW 36 Pos. Sheets  
NW 24 1 & 3 Topo  
26 Tax Map



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204

NORMAN E. GERBER  
DIRECTOR

August 3, 1981

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #240, Zoning Advisory Committee Meeting, June 16, 1981, are as follows:

Property Owner: G. H. Cassels-Smith  
Location: NW/4 side Mt. Zion Road 1.530' N/E of Dover Road  
Acres: 0.40  
District: 5th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley  
John L. Wimbley  
Planner III  
Current Planning and Development

ORDER RECEIVED FOR FILING

DATE September 8, 1981  
BY John M. H. Jones  
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested ~~would~~ will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Deputy  
Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of September, 1981, that the herein Petition for Variance(s) to permit a setback of 60 feet from the centerline of the road in lieu of the required 75 feet and setbacks of 16 feet and 19 feet from the eastern boundary of the special exception in lieu of the required 35 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Exception Order.

John M. H. Jones  
Deputy Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING

DATE September 8, 1981  
BY John M. H. Jones  
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Sections 502.1 and 1A01.2.C of the Baltimore County Zoning Regulations having been met, the health, safety and general welfare of the community not being adversely affected and the primary agricultural function of the vicinity being supported by the proposed use, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18th day of September, 1981, that the herein Petition for Special Exception for the manufacture, processing or packing of fruit, vegetable, animal or meat products or by-products, trading as Tobacco Technology, Inc., in accordance with the site plan prepared by Century Engineering, Inc., dated June 1, 1981, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The functions of Tobacco Technology, Inc. shall consist of experimentation and research and development with laboratory and pilot production of tobacco extracts and flavor enhancers.
2. All operations shall be conducted within the two buildings. Storage may also be located under the barn overhang.
3. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

John M. H. Jones  
Deputy Zoning Commissioner of  
Baltimore County



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204  
DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

August 13, 1981

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 240, Zoning Advisory Committee Meeting of June 16, 1981, are as follows:

Property Owner: C. H. Cassels-Smith  
Location: NW/3 Mt. Zion Road, 1,530' N/E of Dover Road  
Existing Zoning: R.C. 2  
Proposed Zoning: Special Exception for "the manufacture, processing and packing of fruit, vegetable, animal or meat products or by-products" and Variances to permit a front setback of 60' in lieu of the required 75' and for setbacks of 16' and 19' from the easterly side of the special exception boundary in lieu of the required 35'.  
Acres: 0.10  
District: 5th

The existing facility is presently served by a water well and two sewage disposal systems, all of which appear to be functioning properly; therefore, no health hazards are anticipated.

Very truly yours,

Jan J. Forrest  
Director  
BUREAU OF ENVIRONMENTAL SERVICES

IJF/eth



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
625-7310

PAUL H. RENCKE  
CHIEF

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: C. H. Cassels-Smith

Location: NW/3 Mt. Zion Road 1,530' N/E of Dover Road

Item No.: 240

Zoning Agenda: June 16, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: George M. McGonigle Noted and Approved: George M. McGonigle  
Planning Group: George M. McGonigle Fire Prevention Bureau  
Special Inspection Division

/mb

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari  
FROM: Charles E. (Ted) Burnham  
SUBJECT: Zoning Advisory Committee Meeting of June 16, 1981

Date: July 6, 1981

ITEM NO. 239 See Comments  
ITEM NO. 240 No Comments  
ITEM NO. 241 Standard Comments  
ITEM NO. 242 See Comments

Charles E. Burnham  
Charles E. Burnham  
Plans Review Supervisor

CEB:rrj

# BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent  
Towson, Maryland - 21204

Date: June 18, 1981

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: June 16, 1981

RE: Item No: 239, 240, 241, 242  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,  
Wm. Nick Petrovich  
Wm. Nick Petrovich, Assistant  
Department of Planning

KNP/bp

## TO WHOM IT MAY CONCERN:

As one partly responsible for the inclusion of the special exception provisions for agriculturally related businesses in RCZ zones, I feel an obligation not only to Mr. Cassell-Smith and the rest of the agricultural community, but to the other citizens of Baltimore County as well, to make a few comments on behalf of Mr. Cassell-Smith's request for a special exception for his business.

While president of the Baltimore County Farm Bureau, I served on the Growth Management Citizens Committee representing agriculture. For several years I have worked quite a bit with members of the Planning Department. At the present time I serve on the Baltimore County Farm Land Preservation Committee. Most of the people that I have had contact with during this period have shown a great deal of interest in maintaining a strong agricultural base in the county. With this in mind the Planning Department was in full accord with the proposed special exceptions in the RCZ zones. To the best of my knowledge there was no opposition to this move.

There have been many changes in agriculture in the past with many more to come in the future. There are many examples of these changes: At one time there were many farm machinery dealers in the county, now there are only a couple. Milk used to be cooled at local cooling stations before shipping it to bottling plants. On farm bulk tanks and tank trucks eliminated the need for these facilities. Not too long ago pea-vine is scattered throughout the area were used to shell peas for canning. Even Tobacco was at one time an important crop in Baltimore County. The special exception provision will help meet the changing needs of farmers and other consumers as well. By the same token this also lends a certain stability to the future of agriculture in the area.

I have been aware of and quite interested in Mr. Cassell-Smith's work for several years. In my opinion it meets the criteria as set forth by the county for a special zoning exception. His work could provide a market for several new cash crops for area farmers.

I am sure Mr. Cassell-Smith will describe his work in detail. Therefore I will only say that what he is doing at this location is very low-key and has not harmed the character of the neighborhood in any way. If anything it is more attractive and desirable than if the barn was used for livestock. It does not even come close to generating the amount of activity that some agriculturally related businesses could (commercial grain storage, etc.).

-2-

The Upperco area is one that the Growth Management Consultants designated for little residential growth. One of the first county farms designated as an agricultural district, under state law, was in this area. Others have also submitted their farms as agricultural districts. There are several landowners nearby that have donated their easements to the Maryland Environmental Trust.

If the people of Baltimore County and the State of Maryland are going to invest in the future of agriculture through the Maryland Farm Land Preservation Foundation, we must see to it that agriculture has a future. It is in the best interest of everyone that this be done.

I thank you for taking time to read this and hope that it has been helpful to you.

Sincerely,

Ronald C. Hohn  
14922 Dover Road  
Reisterstown, Md. 21136



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

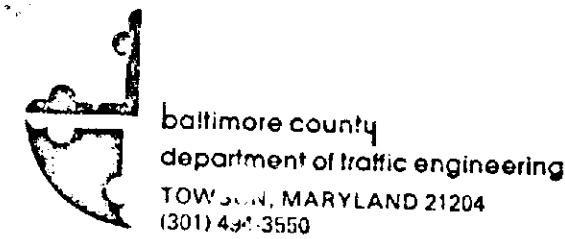
Mr. W. E. Hammond  
Zoning Commissioner  
TO: \_\_\_\_\_ Date: August 5, 1981  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Petition No. 82-49-XA Item 240

Petition for Special Exception and Variances  
Northwest side of Mt. Zion Rd., 1,530 ft. northeast of Dover Road  
Petitioner- G. H. Cassels-Smith

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:ob



STEPHEN E. COLLINS  
DIRECTOR

August 27, 1981

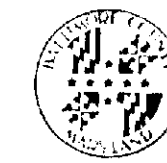
Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items  
number 239, 240, 241 of ZAC meeting June 16, 1981.

Michael S. Flanagan  
Michael S. Flanagan  
Traffic Engineering Associate II

MSF/jcm



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

August 24, 1981

R. Bruce Alderman, Esquire  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception & Variance  
NW/s Mt. Zion Road, 1,530 ft. NE of Dover Road  
G. H. Cassels-Smith - Petitioner  
Case #82-49-XA

Dear Mr. Alderman:

This is to advise you that \$63.50 is due for advertising and  
posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to  
Karen Riegel, Room 106, County Office Building, Towson, Maryland 21204  
before the hearing.

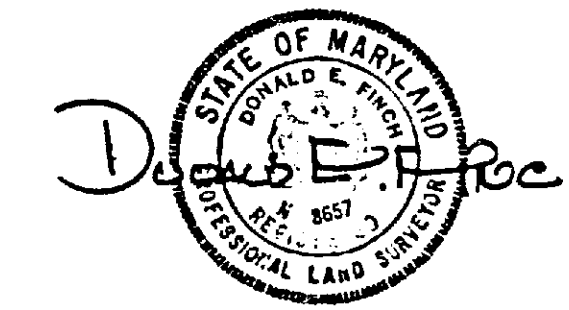
Very truly yours,  
William E. Hammond  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:klr

## DESCRIPTION FOR SPECIAL EXCEPTION

BEGINNING for the same at a point on the centerline of Mt. Zion Road as  
now existing, said point lying one thousand five hundred and thirty (1,530)  
feet, more or less, in a northeasterly direction from the intersection of  
said centerline with the centerline of Dover Road, both as now laid out and  
existing; thence from said point of beginning so located run on the property  
conveyed to GEORGE H. CASSELS-SMITH by Deed recorded among the Land Records  
of Baltimore County, Maryland in Liber 4840, Folio 221, and in the meridian  
of said Deed, the following (2) bearings and distances;  
(1) North 03°40'00" West 251.02 feet parallel to the easterly line of said  
Deed; thence at right angles thereto (2) North 86°20'00" East 73.12 feet to  
intersect the line of division between said Deed recorded in Liber 4840,  
Folio 221 and the property conveyed to GEORGE H. CASSELS-SMITH by Deed recorded  
among the aforesaid Land Records in Liber 3873, Folio 263; run thence, binding  
on said line of division (3) South 03°40'00" East 225.55 feet to intersect the  
said centerline of Mt. Zion Road; thence running with and binding on said  
centerline (4) South 67°07'30" West 77.43 feet to the point of beginning.

CONTAINING in all, 17,424 square feet or 0.40 acres of land more or less.



## PETITION FOR SPECIAL EXCEPTION AND VARIANCES

## 5th DISTRICT

ZONING: Petition for Special Exception and Variances  
LOCATION: Northwest side of Mt. Zion Rd., 1,530 ft. northeast  
of Dover Rd.  
DATE & TIME: Tuesday, August 25, 1981 at 1:30 P.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake  
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act  
and Regulations of Baltimore County will hold a public hearing:

Petition for Special Exception for "the manufacture,  
processing or packing of fruit, vegetable, animal or  
meat products or by-products", and Variance to provide  
for a setback of 60 feet from the centerline of the road  
in lieu of the required 75 feet and for setbacks of 16  
feet and 19 feet from the easterly side of the special  
exception boundary in lieu of the required 35 feet

The Zoning Regulation to be excepted as follows:

1A01.3B(3) - Minimum front and side yard setbacks in an R.C. Zone

All that parcel of land in the Fifth District of Baltimore County

R. Bruce Alderman, Esquire  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

July 30, 1981

## NOTICE OF HEARING

RE: Petition for Special Exception and Variance  
NW/s Mt. Zion Rd., 1,530' NE of Dover Rd.  
G. H. Cassels-Smith - Petitioner  
Case #82-49-XA

TIME: 1:30 P.M.

DATE: Tuesday, August 25, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,  
TOWSON, MARYLAND

/s/klr

cc: Steven Michael  
2621 Overland Avenue  
Balto., Maryland 21214

John M. H. Jung  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

September 18, 1981

R. Bruce Alderman, Esquire  
305 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Petitions for Special Exception  
and Variances  
NW/S of Mt. Zion Rd., 1,530' NE of  
Dover Rd. - 5th Election District  
G.H. Cassels-Smith - Petitioner  
NO. 82-49-XA (Item No. 240)

Dear Mr. Alderman:

I have this date passed my Order in the above captioned matter in accordance  
with the attached.

Very truly yours,

John M. H. Jung  
JOHN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire  
People's Counsel

## VITAE: ARTHUR OLIVER TUCKER, III

PERSONAL DATA: BORN-June 22, 1945; Allentown, PA  
Married-Sharon Lynn Smith, June 12, 1971  
Children-Melissa Anne Tucker, December 30, 1975  
Angelica Lynne Tucker, June 27, 1977  
Arthur Oliver Tucker, IV, January 7, 1980  
EDUCATION: Graduated from Fountain Hill High School, Bethlehem, PA;  
June 1963  
B.A. Kutztown State College, Kutztown, Pa.; June 1967  
Major in biology with emphasis in botany. Courses in general  
zoology (2 semesters), general botany (2 semesters), plant  
physiology, genetics, plant taxonomy, microbiology, mycology,  
physical geology, and historical geology.  
M.S. Rutgers University, New Brunswick, NJ; June 1970  
Thesis: Leaf proteins of *Mentha L. (Labiatae)*. I. Extraction  
for disc-electrophoresis; II. The relation of *Mentha spicata*  
L. to *M. longifolia* Huds and *M. rotundifolia* Huds. as  
indicated by serology and disc-electrophoresis.  
Courses: plant physiology (2 semesters), cell biology, plant  
anatomy (2 semesters), plant morphology, bio-ecology,  
advanced taxonomy, biochemistry, immunology and serology  
(2 semesters), and principles of evolution  
Ph.D. Rutgers University, New Brunswick, NJ; June 1975  
Thesis: Morphological, cytological, and chemical evolution  
of the *Mentha x gentilis L. s. l.* hybrid complex.  
Courses: algology, evolution of cultivated plants, bryology  
and lichenology (audit), basic statistics for research, and  
statistical design of experiments  
TEACHING EXPERIENCE:  
Fall 1969 Principles of Botany: laboratory-Rutgers College  
Spring 1970 Taxonomy of Vascular Plants: laboratory-R.C.  
1971-1972 Biology, Issues, and Man: laboratory-R.C.  
Summer 1972 General Biology: laboratory and recitation-R.C.  
1972-1973 General Biology: Co-ordinator for laboratories-R.C.  
1974-1976 Biochemistry: Laboratory-Rutgers Medical School  
Spring 1976 General Biology, Horticultural Plant Materials,  
Systematic Botany-Delaware State College  
Summer 1976 General Biology-D.S.C.  
Fall 1976 General Horticulture, Plant Physiology, People and the  
Planet, Applying for Job and Graduate School-D.S.C.  
Spring 1977 General Biology, People and the Planet, Reporting  
and Scientific Writing-D.S.C.  
Fall 1977 General Horticulture, Applying for Job and Graduate School-D.S.C.  
Spring 1979 Horticultural Plant Materials, Plant Physiology-D.S.C.  
LANGUAGES: French and German  
GREENHOUSE EXPERIENCE:  
1964-1967 caretaker, Kutztown State College  
1969-1974 student assistant, Rutgers University  
Spring 1976-198- greenhouse caretaker, Delaware State College  
HERBARIUM EXPERIENCE:  
Co-curator, Claude E. Phillips Herbarium, Delaware State College  
PUBLICATIONS: See attached sheet  
AWARDS: NSF Traineeship 1967-1969  
Sigma Xi Grant-in-aid and Willowood Foundation Grant for  
collection of plants in Europe, Summer 1979  
Herb Society of America Scholarship 1971-1976

Being the property of G. H. Cassels-Smith as shown on plat plan filed with the  
Zoning Department

Hearing Date: Tuesday, August 25, 1981 at 1:30 P.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland 21204

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

PUBLICATIONS: ARTHUR OLIVER TUCKER, III

PUBLISHED:

- Tucker, A. O. 1970. Plant propagation; principles and practices. Bull. Torrey Bot. Club 97:75. (Book rev.)
- Tucker, A. O., and D. E. Fairbrothers. 1970. Extraction of leaf proteins of *Mentha* (Labiatae) for disc-electrophoresis. Phytochemistry 9:1339-1403.
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PUBLICATION: ARTHUR OLIVER TUCKER, III

IN PRESS:

- Tucker, A. O., and N. H. Dill. 1981. Phytogeographical affinities of New Jersey and the Del-Mar-Va Peninsula and the preservation of habitats of endemic, rare, and/or endangered plants. Third symposium on endangered and threatened plants and animals of New Jersey, Stockton State College, Pomona, NJ, February 28-March 1, 1981. (in press)
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- Tucker, A. O. 1981. The fragrant timepiece: A short history of the floral clock. Garden (in press).

PHOTOGRAPHS:

- Tucker, A. O. 1974. The new encyclopaedia Britannica. Micropaedia. Buffalograss (2:749), goldentop (4:608), and sweet shrub (9:718). Encyclopaedia Britannica, Chicago.

- PROFESSIONAL AFFILIATIONS: Botanical Society of America, American Society of Plant Taxonomists, International Association for Plant Taxonomy, Sigma Xi, Kappa Delta Pi, Torrey Botanical Club, Herb Society of America, and AAAS
- 1977-1978 Founding Co-counselor of Xi Tau Chapter of Kappa Delta Pi, Delaware State College
- RESEARCH GRANTS:
- 1978-198- Cooperative State Research Service (now Science Education Administration and Cooperative Research); An evaluation of selected culinary herbs and essential oil plants as high income per acre cash crops for limited resource farmers
- 1979-1980 U. S. Fish and Wildlife Service; an assessment of the rare and endangered vascular plants of Delaware and the Eastern Shore of Maryland.

To a botanical society:

As a partly responsible for the inclusion of the special reception provisions for agriculturally related businesses in the RC2 zones, I feel a obligation not only to Mr. Cassell-Smith but also to the agricultural community, but to the other citizens of Baltimore County as well, to make a few comments on behalf of Mr. Cassell-Smith to request for a special reception for his business.

As a past president of the Baltimore County Farm Bureau I served on the Youth Management Advisory Committee, a standing committee. For several years I have worked quite a bit with members of the Planning Department. At the present time I sit on the Baltimore County Farm and Forestry Association Committee. Most of the people that I have had contact with during this period have shown a great deal of enthusiasm in maintaining a strong agricultural base in the county. With this in mind, the Planning Department was so full and with the proposed special reception in the RC2 zones. So the best of my knowledge there was no opposition to this move.

There have been many changes in agriculture in the past with many more changes in the future. There are many examples of these changes: 1) More time there were many farm machinery dealers in the county, now there are only a couple. 2) Milk used to be collected from door-to-door stations, before shipping it to bottling plants. 3) Farm bulk tanks and stock tanks eliminated the milk for use facilities. 4) Not long ago many more weather throughout the area was used to shell peas, processing. 5) Gas before was a rare time as an important crop in Baltimore.

pt. 2 of 3

County. The special reception provisions will help meet the changing needs of farmers and other consumers as well. By the same token, these provisions are a stabilizing factor to the future of agriculture in the area.

I have been a member of the Baltimore County Farm Bureau since Mr. Cassell-Smith's work for several years. During my tenure at meetings the outcome as set forth by the county for a special zoning reception. His work could provide a market for some of our cash crops for area farmers.

During my tenure Mr. Cassell-Smith will describe his work in detail. Therefore I will only say that what has happened at this location is very low key and has not harmed the character of the neighborhood in any way. If anything it is more attractive and desirable than if the farm had been used for livestock. It does not seem to be a detriment to the amount of activity that some agriculturally related businesses could (commercial grain storage, etc.).

The Upperco area is one that the Youth Management Consultants designated for little residential growth. One of the first county farms designated as an agricultural district under state law was in this area. Others have also submitted their farms as agricultural districts. There are several barns nearby that have donated their easements to the Maryland Environmental Trust.

If the people of Baltimore County and the State of Maryland are going to invest in the future of agriculture through the Maryland Farm and Forestry Foundation, we must see to it that agriculture has a future. It is on the best interests of everyone that this be done.

I thank you for taking time to read this and hope that it has been helpful to you.

Sincerely,  
Donald L. E. E.  
14922 V. B. Road  
Baltimore, Md 21236

CBACCO TECHNOLOGY, INC.

-1-

MT. ZION ROAD  
UPPERCO, MARYLAND, U.S.A.

Tobacco Technology, Inc. uses its Upperco facility primarily as a pilot plant for the research and development of plant extracts to be used as tobacco flavoring ingredients.

The term, "pilot plant" as used in the above statement implies that the facility has the capability of taking laboratory sized experiments of plant extracts into the smaller commercial-scale range, i.e. from the research level through the developmental steps to small volume commercialization. In our present situation, this has been done with at least five such extracts in relation to tobacco flavoring. More have, and are, being researched for general use in the food flavoring and perfume ingredient areas all the time.

It is necessary to realize that the plant extract and so called "essential oil" business is an attractive medium sized agricultural commodity business historically based on European and Far Eastern sources. Thus, as far as the U.S. is concerned, we are net importers of these materials. This is not to say that such materials are not produced in the U.S. In certain extract and "essential oil" crops the U.S. is very strong. Good examples of these are the peppermint and hops industry in the Northwest and the onion oil business in California. Both crops are very important economic factors in the areas where they are located. It would be desirable both for the Middle Atlantic Region and the country as a whole if the crops now imported could be locally produced. For this reason, Dr. Arthur Tucker of the University

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"TOPACOTEK"  
UPPERCO MARYLAND  
U.S.A.

TELEPHONE  
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U.S.A.

OBACCO TECHNOLOGY, INC.

-2-

MT. ZION ROAD  
UPPERCO, MARYLAND, U.S.A.

of Delaware, has received a grant from the federal government to research the growing of some of them in our area.

Tobacco Technology, Inc. is cooperating with Dr. Tucker on some of these crops. The reasons for this cooperation are many.

First, TTI represents an already existing market for some crops, -- if they can be grown here.

Second, TTI has the expertise and contacts to help market these crops to the tobacco industry as well as others.

Third, TTI has an existing pilot-plant facility where small commercial volumes of these products can be produced, -- and these volumes are essential if an industry is to be attracted to their use. At present, this is the only such pilot-plant that we know of in the region.

Why is it important to have such volumes available? It is not so much the volume per se, -- but the continuity of quality of taste or smell that only a certain volume can represent. Large industrial users of extracts and essential oils are very careful to only use <sup>a</sup> new materials where it can be demonstrated that the tastes and smells will not be changed from crop to crop or batch to batch. This cannot be demonstrated with a small laboratory sample in a glass bottle. A real sample must be of a size of several drums in order to show that the quality of taste or smell has not changed in larger volume production.

We strongly maintain that the combination of agricultural research coupled with the pilot facilities represented by TTI's Mt. Zion Road plant are the best hope of commercializing such

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COMMUNITY TIMES  
Office of The Carroll County Times

Westminster, Md., August 6, 1981

**PETITION FOR SPECIAL  
EXCEPTION AND VARIANCES**

**5th DISTRICT**  
ZONING: Petition for Special Exception and Variances  
LOCATION: Northwest side of Mt. Zion Rd., 1.530 ft. northeast  
of Dover Rd.

DATE & TIME: Tuesday, August 25, 1981 at 1:30 p.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W.  
Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of  
the Zoning Act and Regulations of Baltimore County will hold a  
public hearing on the following:

1. Petition for Special Exception for the manufacture, process-  
ing or packing of fruit, vegetable, animal or meat products or by-  
products, and Variance to provide for a setback of 60 feet from  
the centerline of the road in lieu of the required 75 feet and for  
setbacks of 18 feet and 10 feet from the easterly side of the  
special exception boundary in lieu of the required 35 feet.

2. The Zoning Regulations to be excepted as follows:  
1A01.35(3) - Minimum front and side yard setbacks in an R.C.  
Zone. All that parcel of land in the Fifth District of Baltimore  
County.

3. BEGINNING for the same at a point on the centerline of Mt.  
Zion Road as now existing, said point lying one thousand five  
hundred and thirty (1,530) feet, more or less, in a northeasterly  
direction from the intersection of said centerline with the  
centerline of Dover Road, both as now laid out and existing;

thence from said point of beginning so located run on the  
property conveyed to GEORGE H. CASSELS-SMITH by Deed  
recorded among the Land Records of Baltimore County,  
Maryland in Liber 4840, Folio 221, and in the meridian of said  
Deed, the following (2) bearings and distances: (1) North  
03°40'00" West 251.02 feet parallel to the easterly line of said  
Deed; thence at right angles thereto (2) North 86°20'00" East  
73.12 feet to intersection of the line of division between said Deed  
recorded in Liber 4840, Folio 221 and the property conveyed to  
GEORGE H. CASSELS-SMITH by Deed recorded among the  
aforesaid Land Records in Liber 3873, Folio 268; run thence,  
binding on said line of division (3) South 03°40'00" East 225.55  
feet to intersect the said centerline of Mt. Zion Road; thence  
running with and binding on said centerline (4) South 67°07'30"  
West 77.43 feet to the point of beginning.

4. CONTAINING in all, 17,424 square feet of 0.40 acres of  
land more or less.

5. Being the property of G.H. Cassels-Smith as shown on plat  
plan filed with the Zoning Department.

Heating Date: Tuesday, August 25, 1981 at 1:30 p.m.  
Public Hearing: Room 106, County Office Building, 111 W.  
Chesapeake Avenue, Towson, Maryland 21204.

Witnessed and attested to by: WILLIAM E. HAMMOND  
ESTHER OWENSON, H.V. Zoning Commissioner  
Of Baltimore County

RTIFY that the annexed Pet. for Sp. Except. and Variances

one successive weeks previous to the

1981, in The Carroll County Times a daily

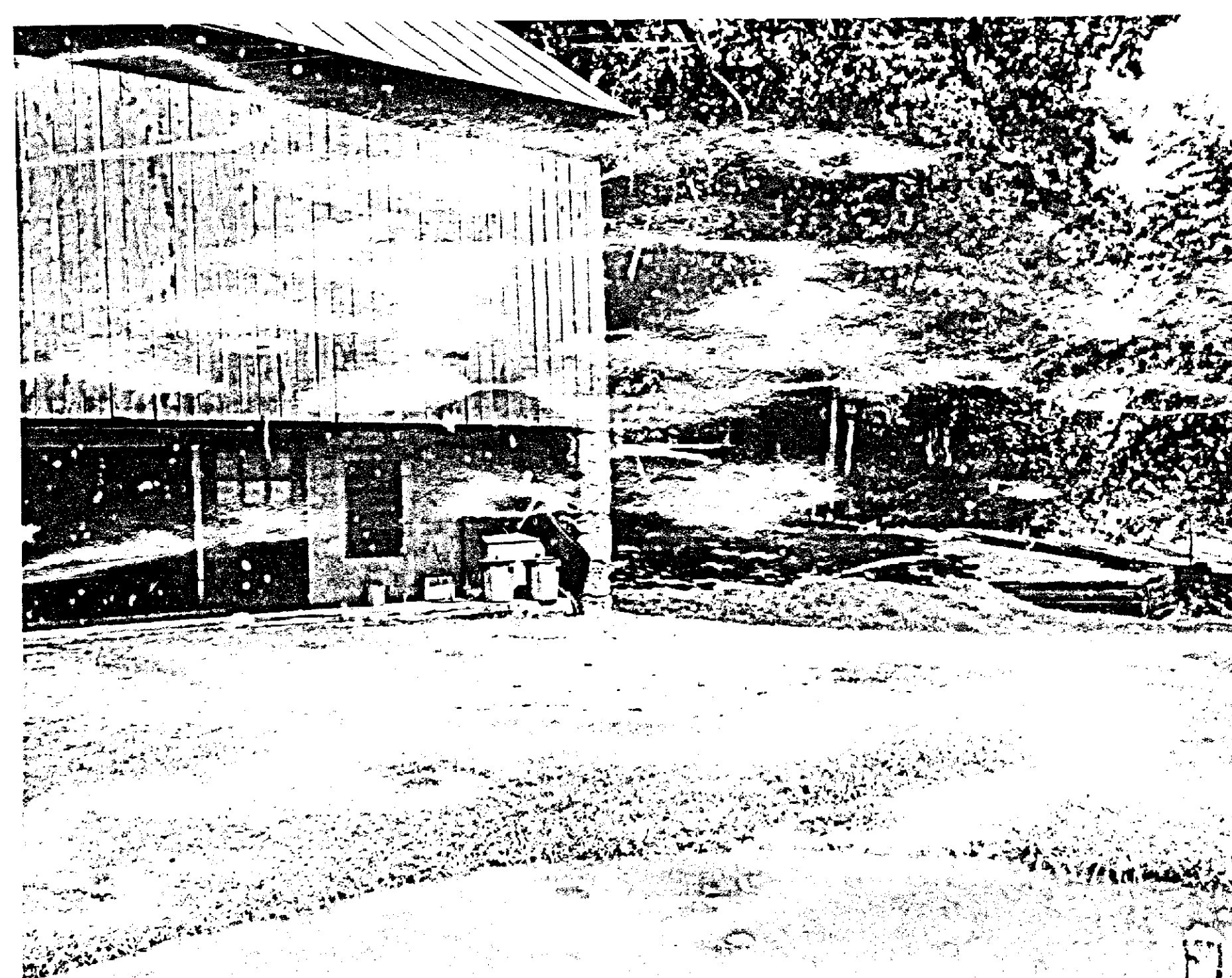
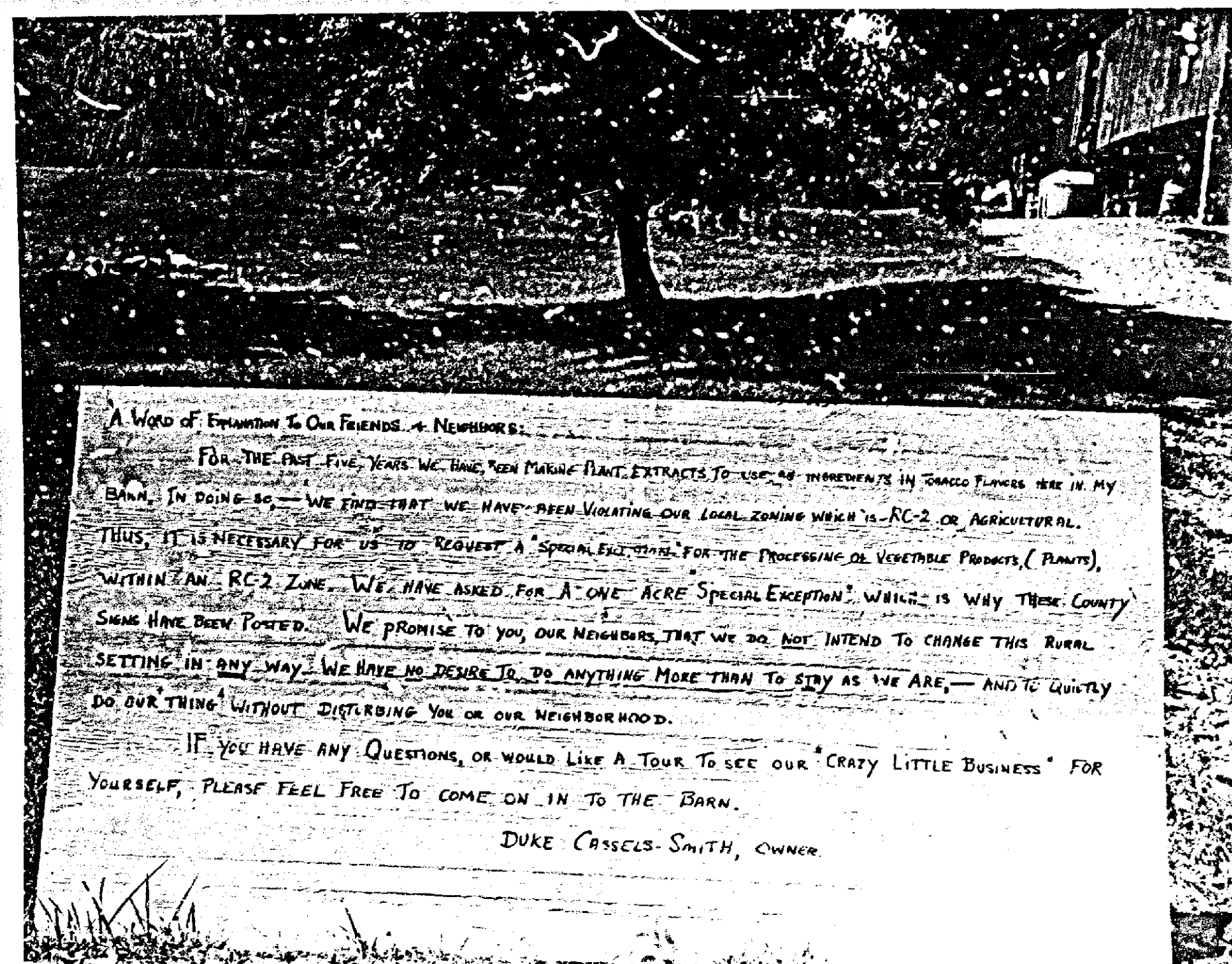
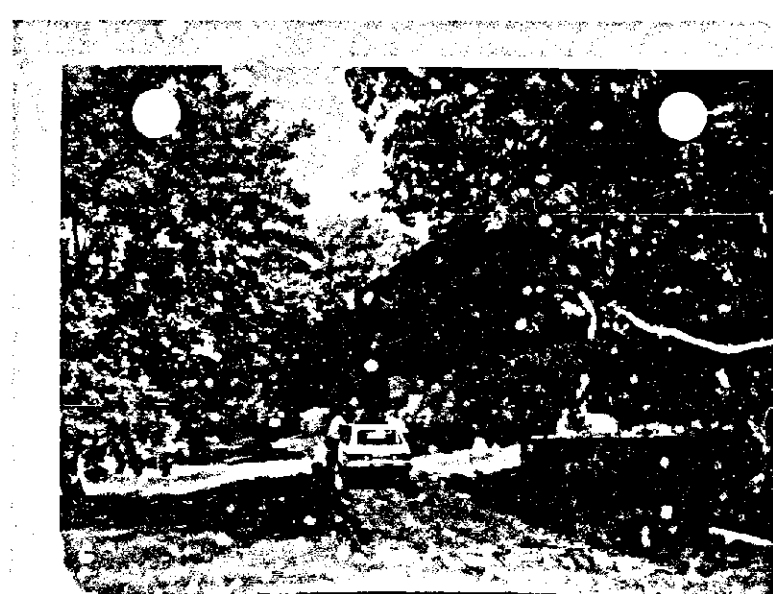
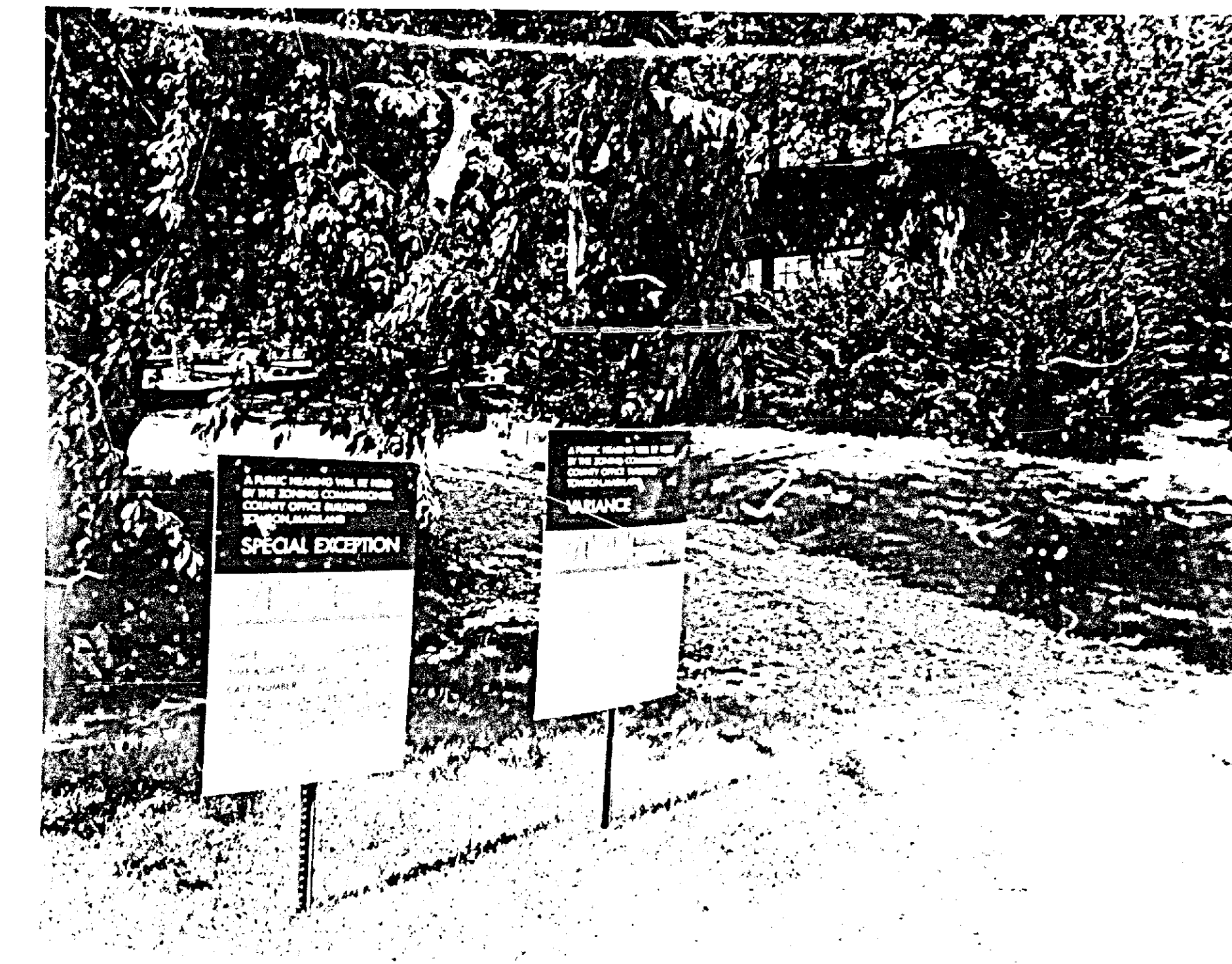
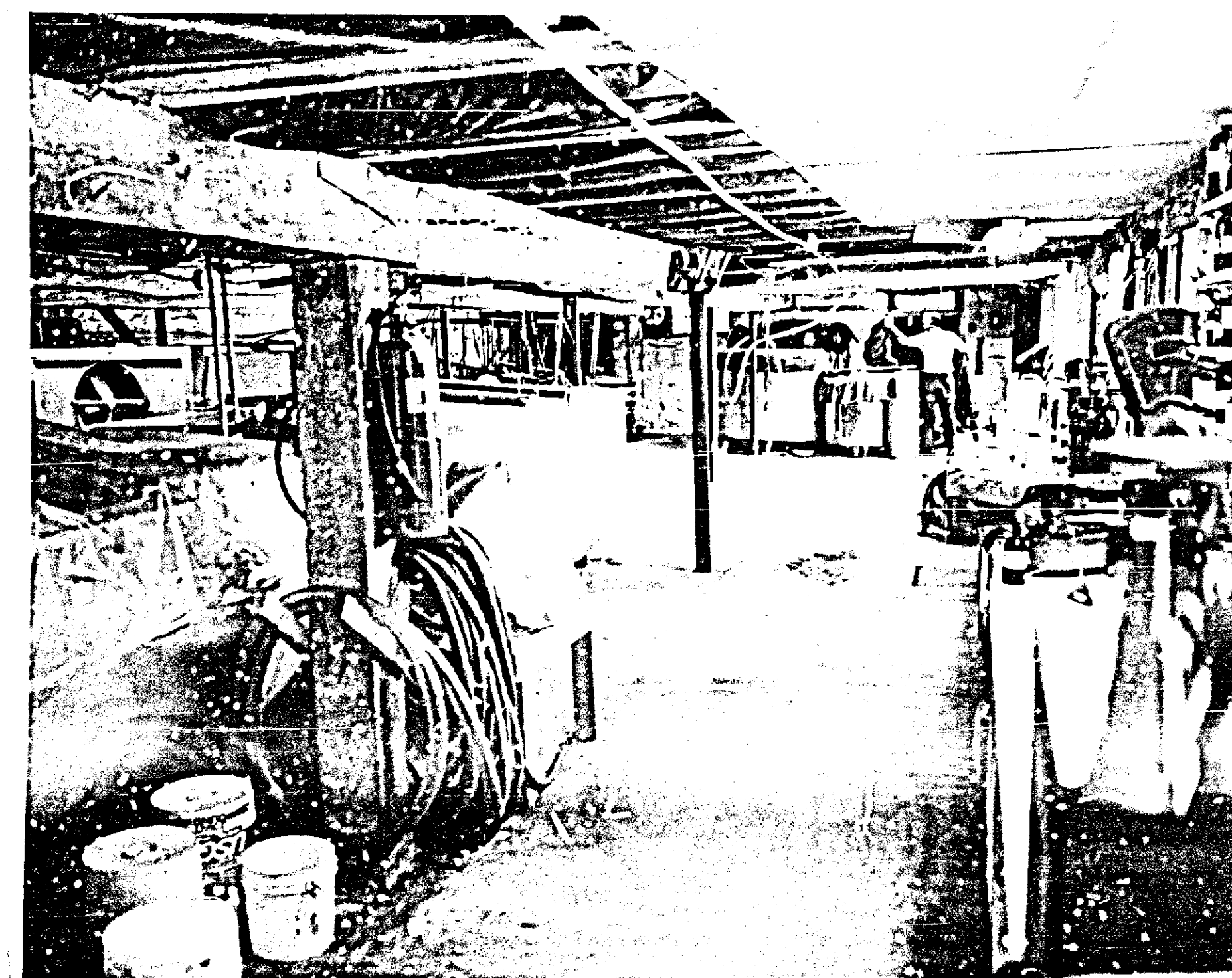
in Westminster, Carroll County, Maryland.

COMMUNITY TIMES

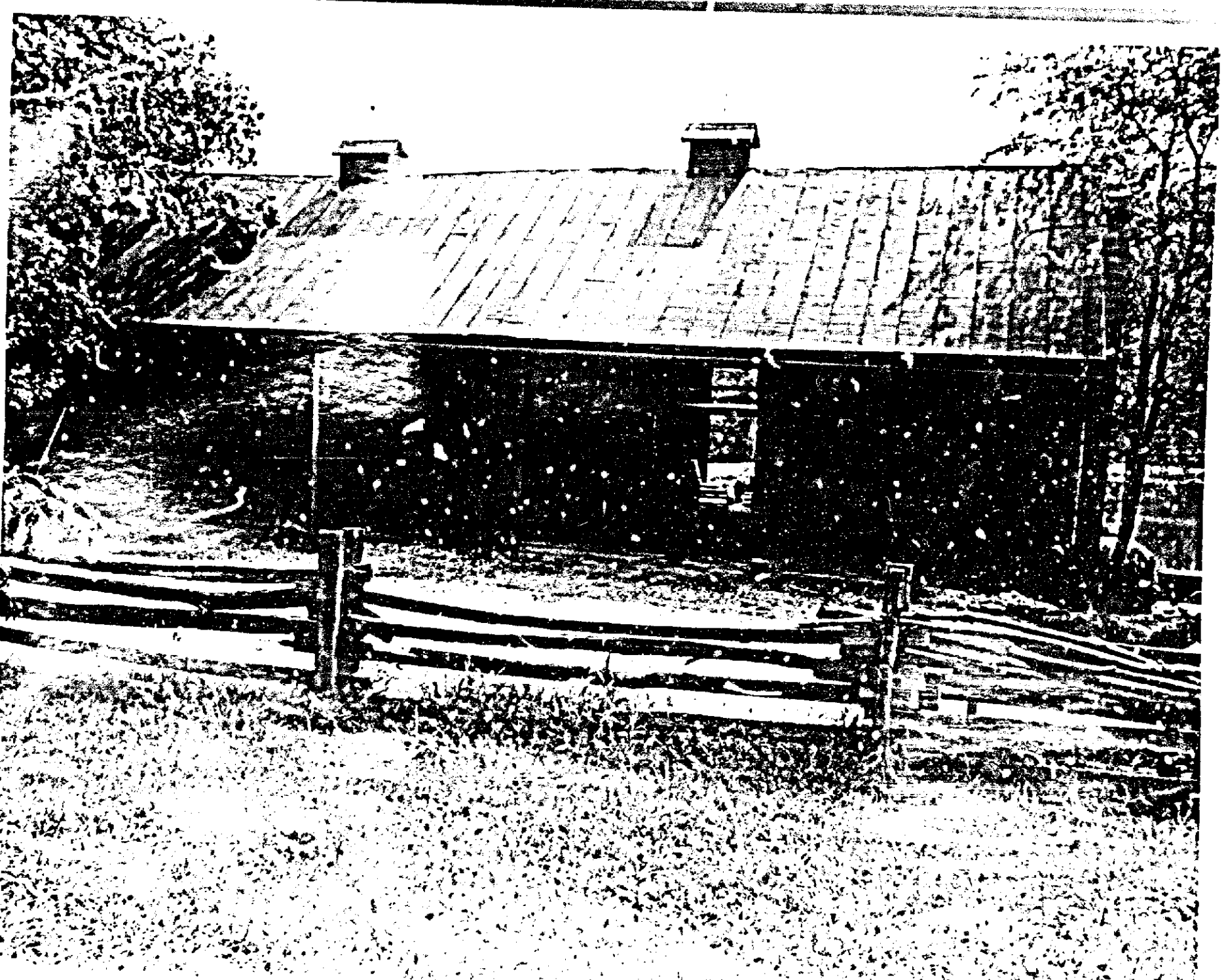
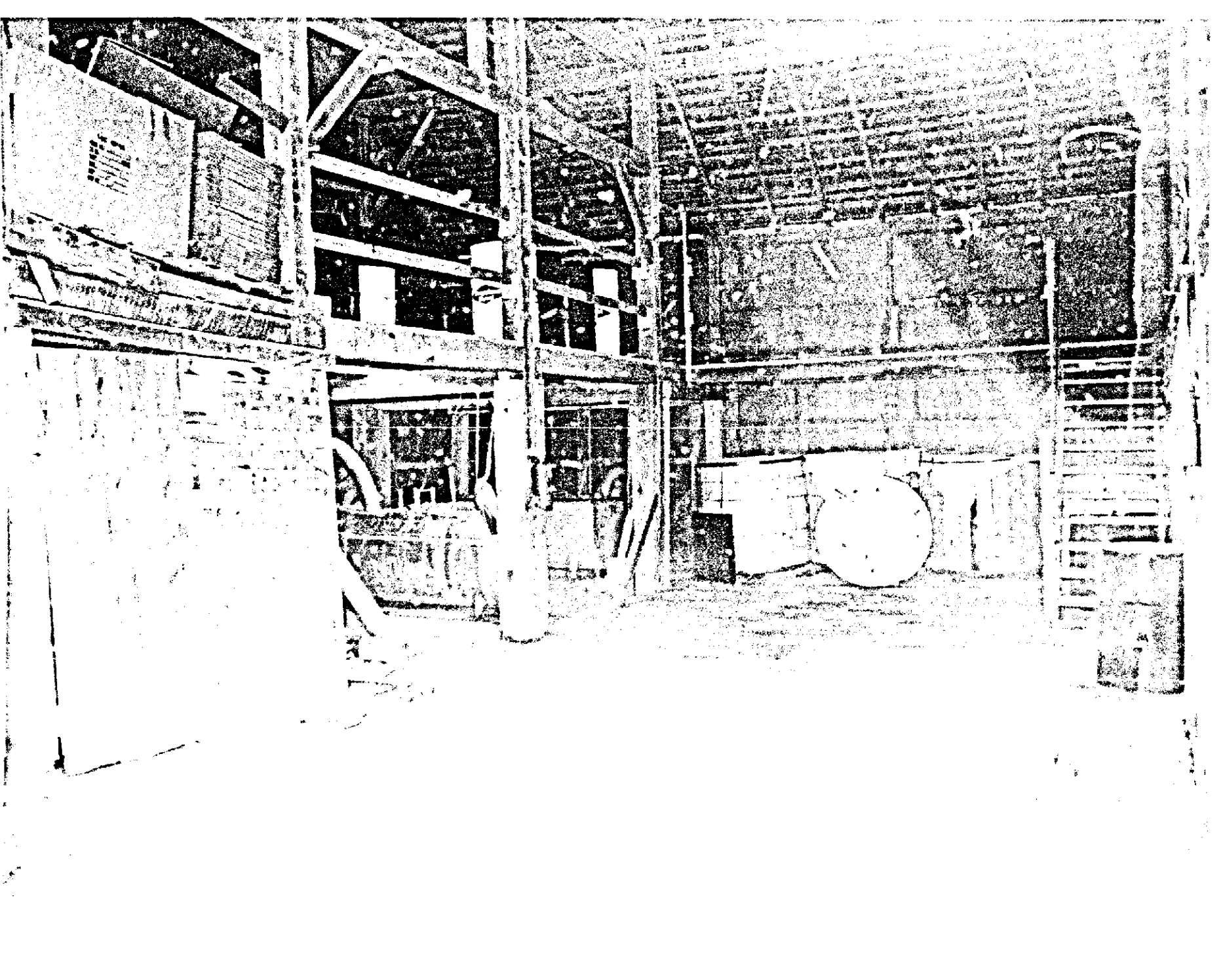
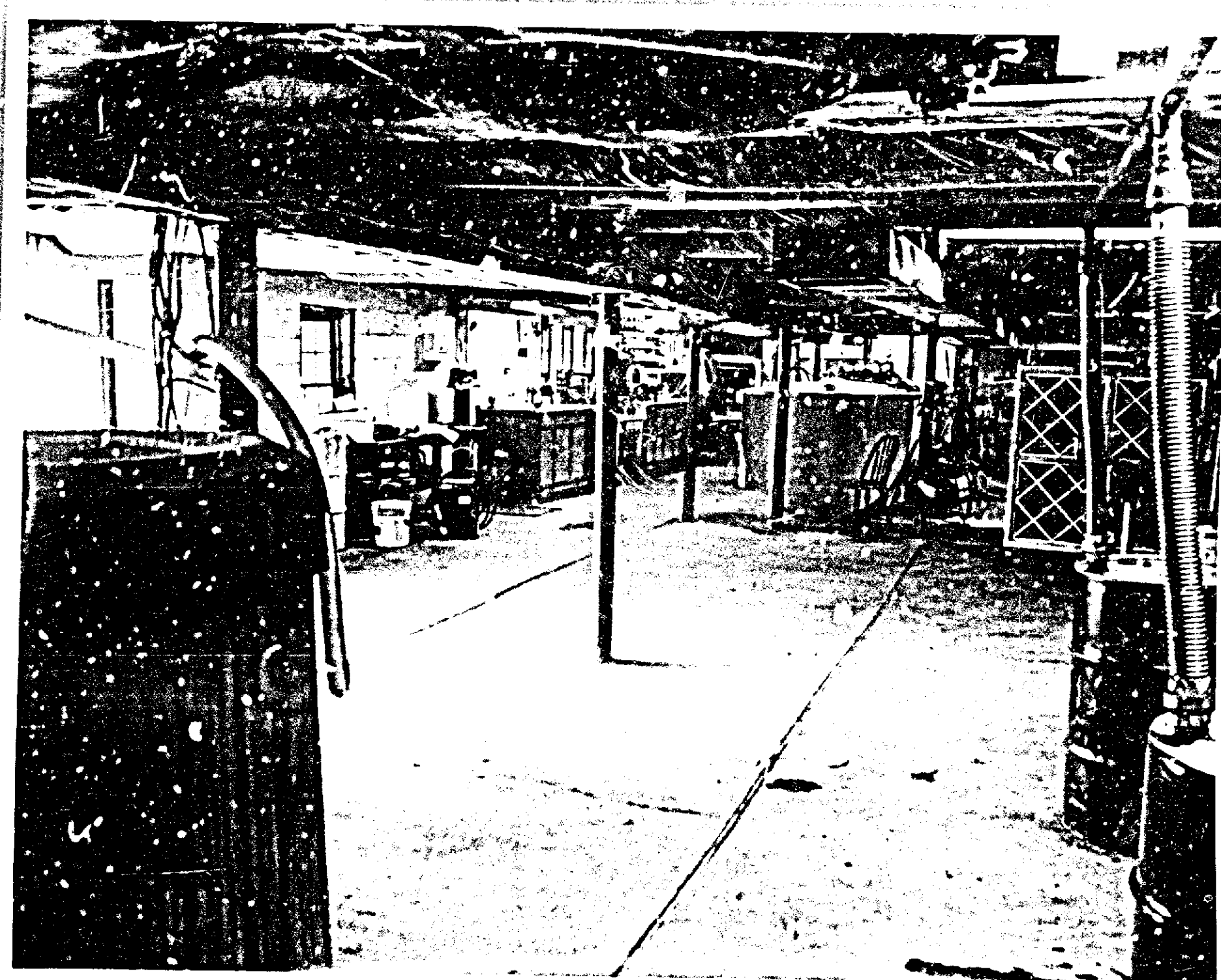
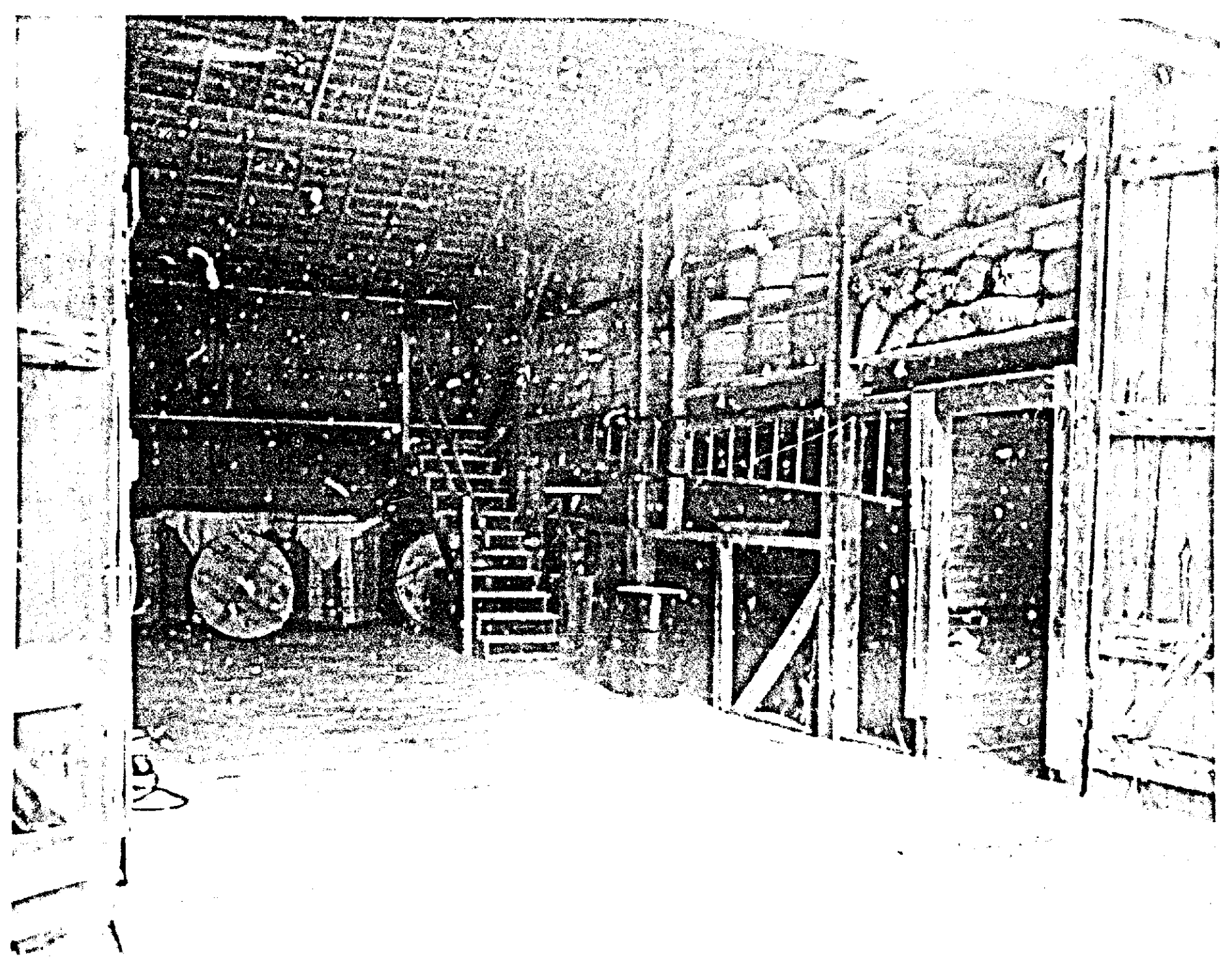
THE CARROLL COUNTY TIMES

Per: *Alvin Clark*

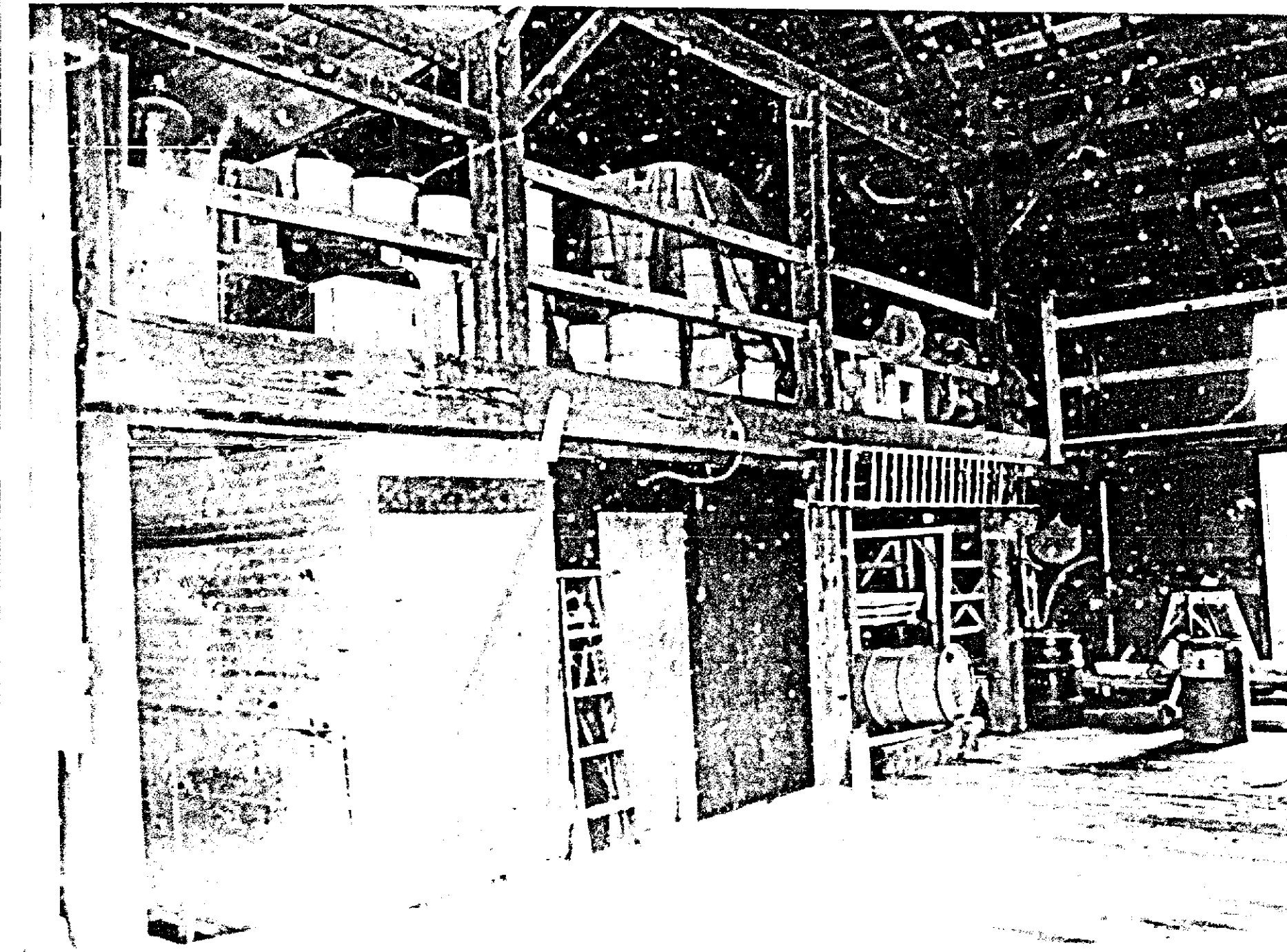
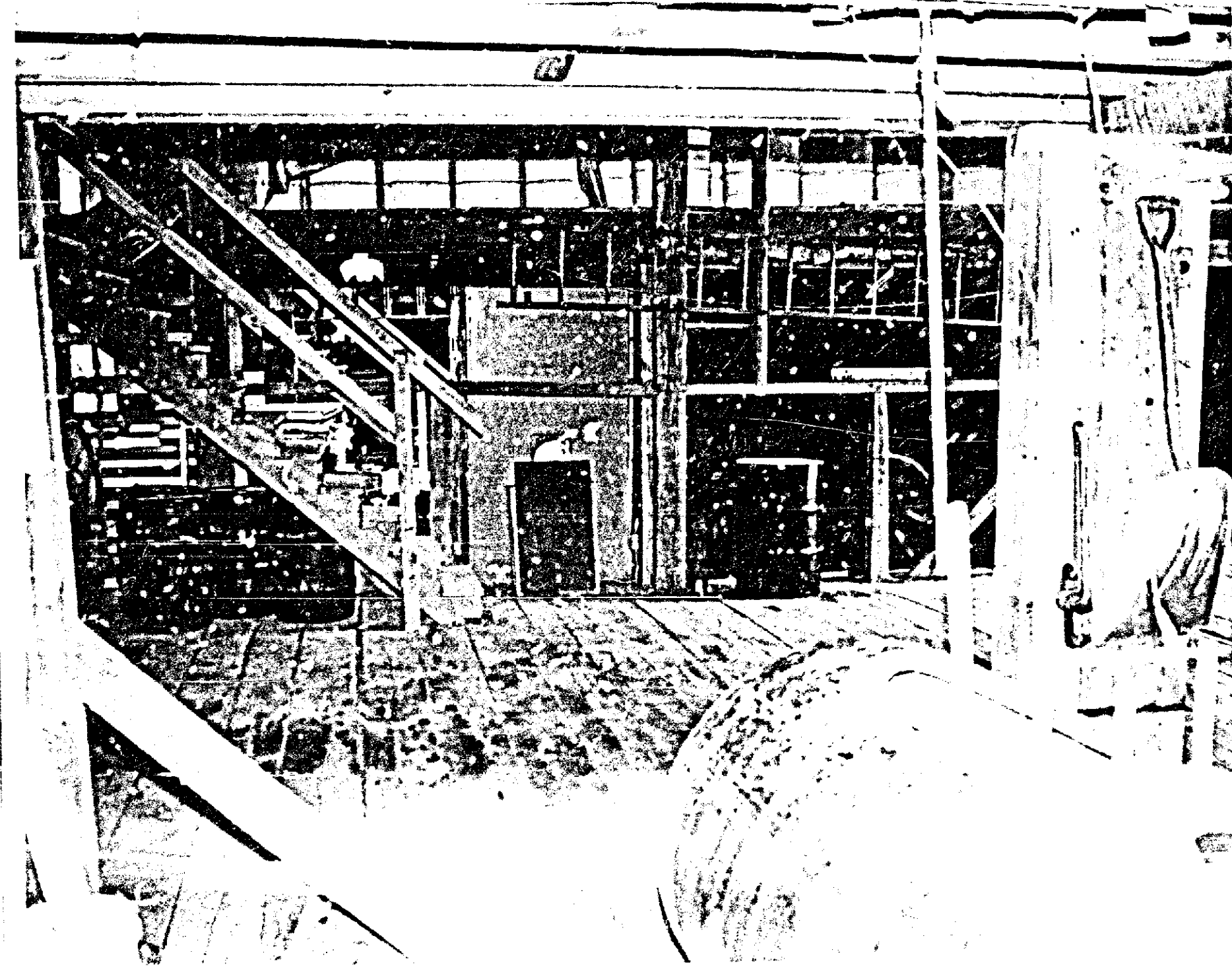
BOOKKEEPER



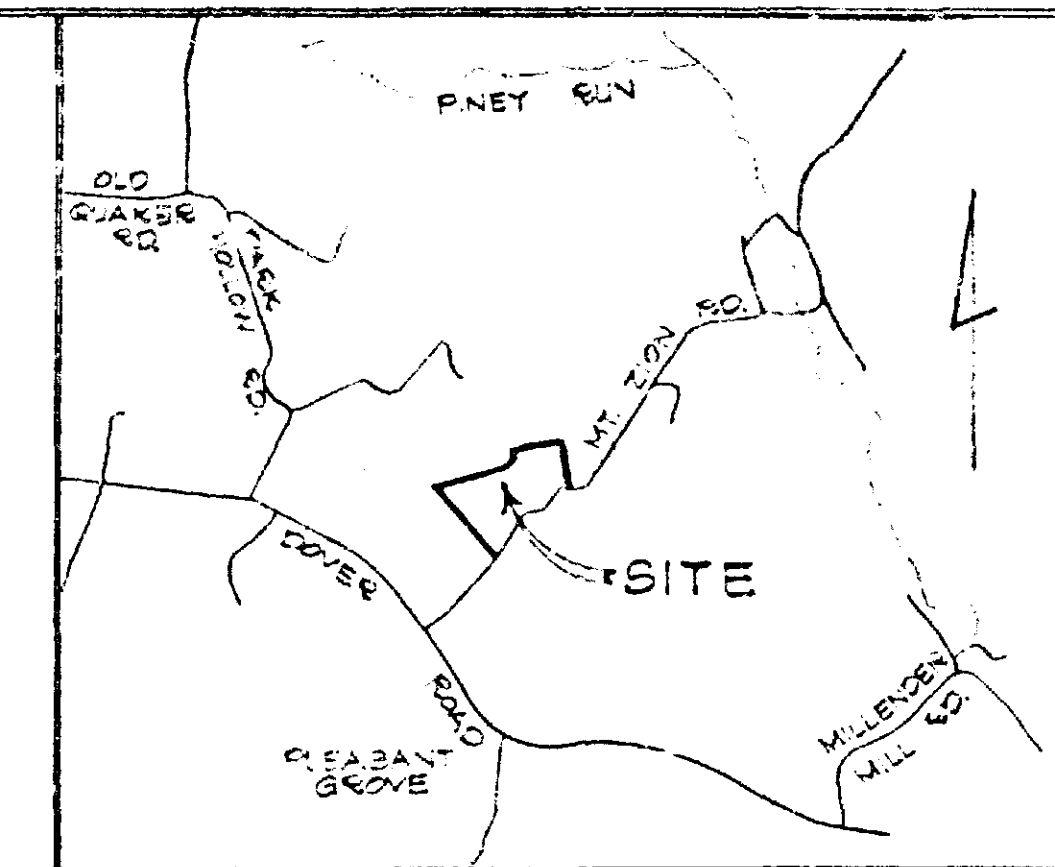




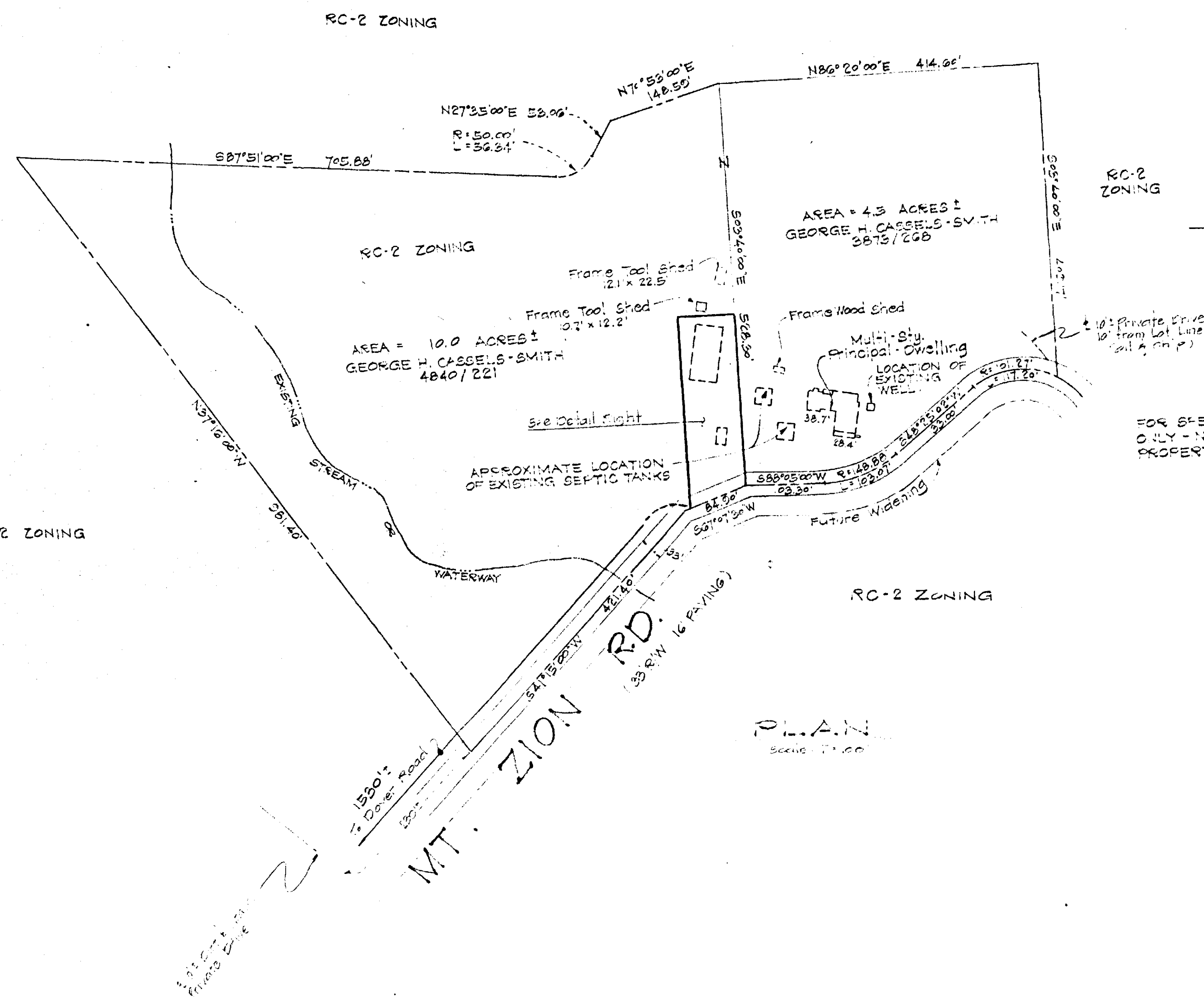




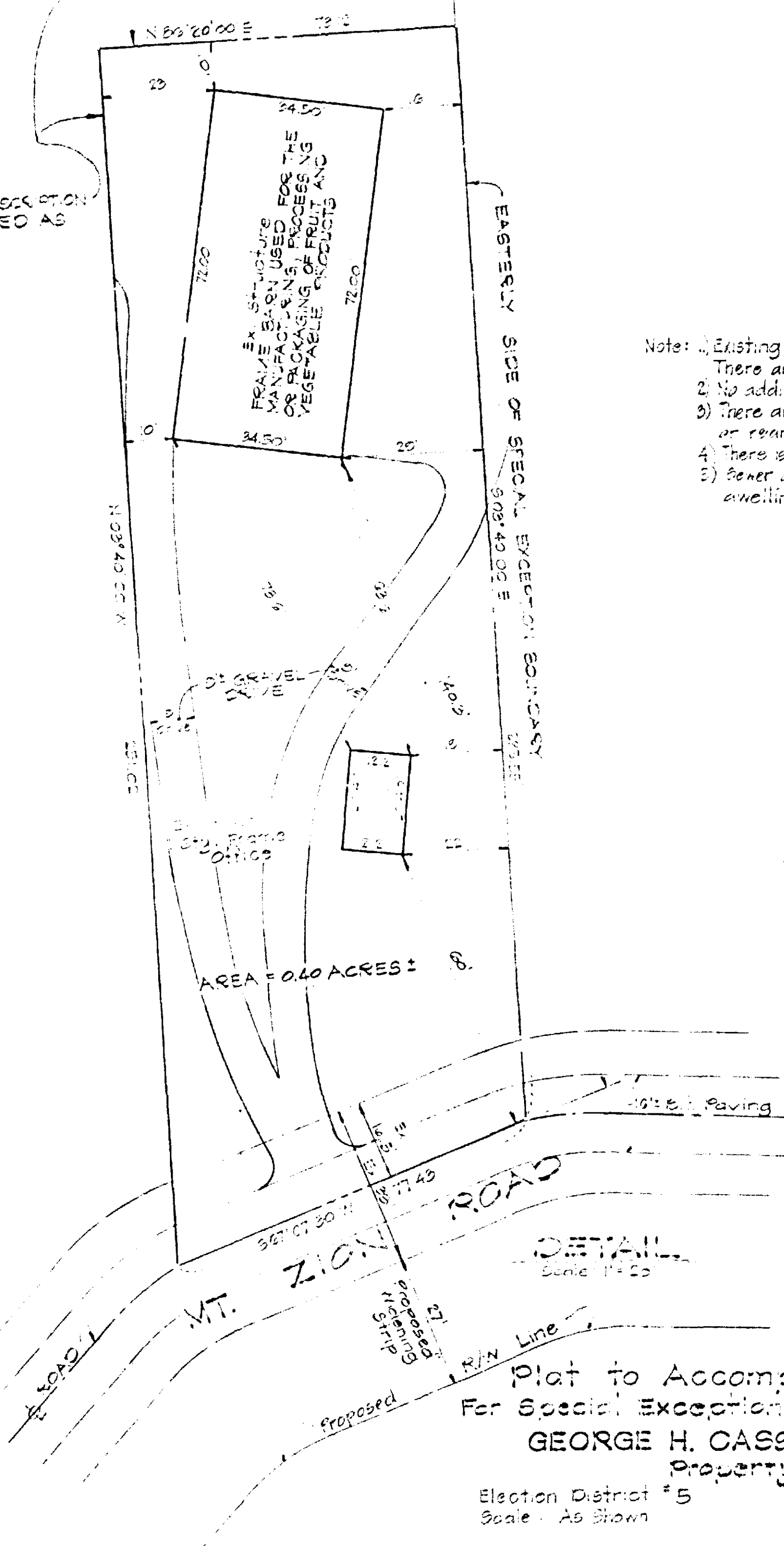




LOCATION PLAN  
Scale 1"=100'



FOR SPECIAL EXCEPTION DESCRIPTION ONLY - NOT TO BE CONSTRUED AS PROPERTY LINES.

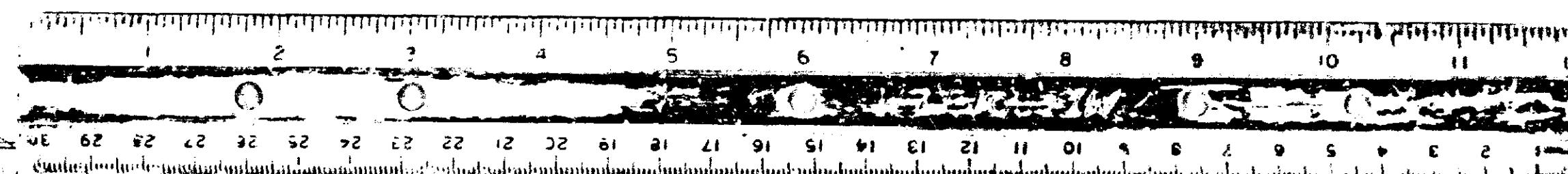


- Note:
1. Existing entrances on northern side of road as shown.
  2. There are no existing entrances on the south side of road.
  3. No additional buildings proposed.
  4. There are no buildings within 200 feet from joint side, front or rear property lines.
  5. There is no public water or sewer serving this property.
  6. Sewer and Water facilities located in the principal dwelling are used.

# GENERAL NOTES:

1. THE SUBJECT SPECIAL EXCEPTION IS FOR THE MANUFACTURING, PROCESSING OR PACKING OF FRUIT AND VEGETABLE PRODUCTS OR BY-PRODUCTS PURSUANT TO SECTION 1A01.20, 24 (g) OF THE ZONING REGULATION. THE USE WHICH PREVIOUSLY EXISTED, EMPLOYED, IN ADDITION TO THE PRINCIPAL, NO MORE THAN TWO FULL-TIME AND ONE PART-TIME EMPLOYEES AT ANY TIME. ONLY ONE EMPLOYER VEHICLE IS BROUGHT TO THE PREMISES AND DELIVERY OF MATERIALS IS LIMITED TO APPROXIMATELY TWICE MONTHLY. THE BUILDINGS HAVE EXISTED MORE THAN 20 YEARS.
2. THE SUBJECT VARIANCE FROM SECTION 1A01.22 (3) IS TO PROVIDE FOR A BUILDING SETBACK OF 60 FEET FROM THE CENTERLINE OF A STREET IN LIEU OF 75 FEET AND FOR BUILDING SETBACKS OF 16 FEET AND 10 FEET FROM THE EASTERLY SIDE OF THE SPECIAL EXCEPTION BOUNDARY IN LIEU OF 35 FEET.

DOUGLAS E. FUCHS



Plot to Accompany Petition  
For Special Exception and Variance of the  
GEORGE H. CASSELS-SMITH  
Property  
Election District #5 Baltimore County, Md.  
Scale: As Shown June 1, 1991

Prepared by  
Century Engineering, Inc.  
22 West Rd.  
Towson, Md. 21204